

REFERENCE TITLE: aerosol spray paints; storage; display

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2755

Introduced by
Representatives Garcia M, Gallardo, DeSimone, Lopez

AN ACT

AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2928; RELATING TO AEROSOL SPRAY PAINTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 13, chapter 29, Arizona Revised Statutes, is amended
3 by adding section 13-2928, to read:

4 13-2928. Unlawful storage and display of aerosol spray paint:
5 applicability; classification

6 A. NOTWITHSTANDING SECTION 13-3403, IT IS UNLAWFUL FOR A PERSON WHO
7 OWNS, CONDUCTS, OPERATES OR MANAGES A BUSINESS WHERE AEROSOL SPRAY PAINT
8 CONTAINERS ARE SOLD OR A PERSON WHO SELLS OR OFFERS FOR SALE AEROSOL SPRAY
9 PAINT CONTAINERS TO STORE OR DISPLAY OR CAUSE TO BE STORED OR DISPLAYED
10 AEROSOL SPRAY PAINT CONTAINERS IN AN AREA THAT IS ACCESSIBLE TO THE PUBLIC
11 WITHOUT EMPLOYEE ASSISTANCE IN THE REGULAR COURSE OF BUSINESS PENDING LEGAL
12 SALE OR DISPOSITION.

13 B. THIS SECTION DOES NOT PRECLUDE THE STORAGE OR DISPLAY OF AEROSOL
14 SPRAY PAINT CONTAINERS IN AN AREA THAT IS VIEWABLE BY THE PUBLIC IF THE
15 CONTAINERS ARE NOT ACCESSIBLE TO THE PUBLIC WITHOUT EMPLOYEE ASSISTANCE.

16 C. THIS SECTION APPLIES ONLY IN COUNTIES WITH A POPULATION OF MORE
17 THAN FIVE HUNDRED THOUSAND PERSONS. NOTHING IN THIS SECTION SHALL PROHIBIT
18 CITIES OR TOWNS IN THOSE COUNTIES FROM ENACTING AND ENFORCING ORDINANCES TO
19 PROHIBIT THE STORAGE OR DISPLAY OF AEROSOL SPRAY PAINT CONTAINERS THAT
20 PROVIDE FOR A PUNISHMENT THAT IS AT LEAST AS STRINGENT AS THIS SECTION.

21 D. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A PETTY OFFENSE.